

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO

ANDREW GRIFFITHS,
Petitioner,

V.

FERNANDO GARZA, Warden FCI Elkton
Respondent.

Docket No.

FILED

FEB - 1 2023

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
YOUNGSTOWN

EMERGENCY MOTION FOR EXPEDITED BRIEFING SCHEDULE AND
FOR EXPEDITE REVIEW OF HABEAS PETITION

NOW COMES, Andrew Griffiths, pro se, and moves this Court for an expedited briefing schedule and for expedited review of his habeas petition. This motion is filed contemporaneously with the instant habeas petition. Griffiths avers the following in support:

1. In the instant habeas petition, Griffiths claims that the BOP's denial of application of his First Step Act (FSA) earned time credits is based upon an illegal policy that should be deemed void. See Pet. at 7.

2. Therein, Griffiths also claims that the proper application of his FSA time credits would result in his immediate release based upon a current projected release date of 11-21-2023 (see Exh. 3, p. 2) and the fact that the BOP acknowledges he has actually earned 365 days FSA credits (see Exh. 2). Exhibits attached to petition.

3. Griffiths has cited strong grounds in case law supporting his position with respect to the invalidity of BOP policy that is prohibiting the application of said credits. Mem. Sup. Pet., pp. 4-8.

4. Expedited briefing schedule and expedited review are warranted where a petitioner alleges grounds for immediate release. Cf. Smith v. Warden, Toledo Corr. Inst., No. 12-cv-425, 2020 U.S.

Dist. LEXIS 62540, 2020 WL 1815717 (S.D.Ohio Apr. 9, 2020).

Wherefore, Griffiths prays this Court will grant leave for an expedited briefing schedule and expedited review of his habeas petition.

Respectfully submitted,

DATE: January 26, 2023

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